

RECEIVED  
SDNY PRO SE OFFICE  
2022 MAY 18 PM 2:31  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Anthony C. Johnson,	)	
Petitioner,	)	CIVIL CASE NO:
	)	
V	)	1:21-cv-06612-NRB
	)	
United States of America	)	In RE: CRIM. CASE NO:
Respondent.	)	
	)	1:16-cr-808-NRB

PETITIONER'S MOTION TO WITHDRAW MOTION  
FOR DISCOVERY AND PRODUCTION OF DOCUMENTS PURSUANT  
TO RULE 6 GOVERNING 28 U.S.C. § 2255 PROCEEDINGS

COMES NOW, Anthony C. Johnson (hereinafter Petitioner-Johnson, and Petitioner) in PRO-SE, in necessity, and hereby requests that this HONORABLE Court GRANT Petitioner's motion to WITHDRAW his previously filed motion requesting Leave To Conduct Discovery and Production of Documents pursuant to Rule 6 (a) and (b) Governing 28 U.S.C. § 2255 proceedings. In support, the Petitioner shows the Court the following:

1) On 5-12-22 FCI Schuylkill Officials located Petitioners personal/ property/legal documents that were previously reported "misplaced, lost, or destroyed" by FCI Hazelton/Schuylkill Correctional Systems staff, which in part consisted of the following:

- a) Criminal History Records
- b) Search warrant applications and orders
- c) Reports of investigation
- d) Sex offender registration forms
- e) Prison calls/ Emails
- f) Location data from GPS Device on Petitioners vehicle

2) GOOD CAUSE is shown because Production of requested Documents/Discovery at this time, will not only waste this Honorable Courts time, but also, will not serve the "truly useful purpose" of preserving Judicial resources, as Petitioners previously reported "misplaced, lost, or destroyed" personal property has now been located by FCI Schuylkill officials (SEE EXHIBIT A).

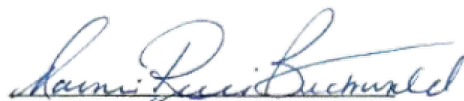
WHEREFORE NOW, above premises considered, the Petitioner Anthony C. Johnson, hereby MOVES this HONORABLE Court to GRANT withdrawal of Petitioners motion of Leave to Conduct Discovery and for Production of Documents pursuant to Rule 6(a) and (b) Governing § 2255 proceedings.

DECLARATION

I, Anthony C. Johnson, herein declare under penalty of perjury that IM the Petitioner PRO-SE in the above stated matter and that the foregoing is true and correct based upon information and belief and not willfully false. I make this Declaration pursuant to 28 U.S.C. § 1746  
Done this 16th Day of May, 2022.

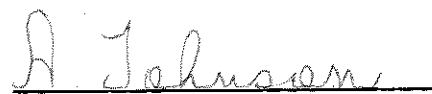
The motion is granted as moot.  
See Memorandum and Order dated May 11, 2022 (ECF No. 23).

**SO ORDERED.**

  
NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE

Dated: New York, New York  
May 20, 2022

Respectfully Submitted,

  
Anthony C. Johnson  
#81532-004  
FCI Schuylkill  
PO BOX 759  
Minersville, PA 17954

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I have served a copy of this motion upon the Clerk of this Court, via U.S. mail, properly addressed, First-Class postage, placing into the internal mailing system as made available to inmates for Legal mail, at the SCHUYLKILL Federal Correctional Institution. The Petitioner further requests that a copy of this motion be forwarded to all interested parties via the CM/ECF system.

Done This 16th Day of May, 2022

## **Exhibit A**

AUG 11

U.S. DEPARTMENT OF JUSTICE

## FEDERAL BUREAU OF PRISON

Institution: <u>TCI SCH</u>		1. Name <u>Johnson, Anthony</u>	
2. Register No: <u>81532-C04</u>		3. Unit: <u>4B</u>	
		4. Date & Time of Inventory: <u>5/12/22 930n</u>	
5. Purpose of Inventory (Check one that applies): Date and Time of Action: <u>5/12/22 930</u>		6. Disposition (Disp.)	
a. <input type="checkbox"/> Admission		b. <input type="checkbox"/> Hospital	
c. <input type="checkbox"/> Writ		d. <input type="checkbox"/> Transfer	
e. <input type="checkbox"/> Detention		f. <input type="checkbox"/> Release	
g. <input type="checkbox"/> Incoming Package		h. <input checked="" type="checkbox"/> Other (specify) <u>_____</u>	
		D-Donated M-Mail S-Storage	
		K-Keep in Possession	
		C-Contriband (Attach BP-S102)	

7. Type of Property:			b. Hygiene, etc.			d. Food		
a. Personally Owned Items								
#	Article	Disp.	#	Article	Disp.	#	Article	Disp.
___	Address Book	___	___	Plastic spoon, cup	___	___	Bean	___
___	Batteries	___	___	Playing Cards	___	___	Cake	___
___	Belt	___	___	Purse	___	___	Candy	___
___	Billfold	___	___	Radio (w/earplug)	___	___	Chips	___
___	Books, Reading	___	___	Religious Medal	___	___	Coffemate	___
___	hard ___ soft ___	___	___	Shirt/Blouse	___	___	Cold drink mix, soda	___
___	Books, Religious	___	___	Shoes	___	___	Cough Drops	___
___	hard ___ soft ___	___	___	Shoes, shower	___	___	Fish Packs	___
___	Boot	___	___	Shoes, Slippers	___	___	Fruit	___
___	Brassiere	___	___	Shorts	___	___	Honey, Hi-protein	___
___	Cap, Hat	___	___	Skirt	___	___	Instant Coffee/Instant Chocolate	___
___	Coat	___	___	Slip	___	___	Mayonnaise	___
___	Comb	___	___	Socks	___	___	Oatmeal	___
___	Combination Lock	___	___	Socks, Athletic	___	___	Pepperoni	___
___	Dress	___	___	Stamps	___	___	Noodles	___
___	Eyeglass Case	___	___	Stockings	___	___	Rice	___
___	Eyeglasses	___	___	Sunglasses	___	___	Sausage	___
___	Gloves	___	___	1 Sweat pants	___	___	Spices	___
___	Hairbrush/Pick	___	___	2 T-Shirt	___	___	Tea	___
___	Handkerchief	___	___	3 Sweat Shirt	___	___	Vitamins	___
___	Headphones	___	___	Thermal Bottoms	___	___		___
___	Laundry Jacket	___	___	Thermal Top	___	___		___
___	Laundry Detergent	___	___	1 Underwear	___	___		___
1	Legal Materials	___	___	Watch/Watchband	___	___		___
___	Letters	___	___	1 To WLS	___	___		___
___	Magazines	___	___		___	___		___
___	Mirror	___	___		___	___		___
___	Nail Clippers	___	___		___	___		___
___	Pen/Ballpoint	___	___		___	___		___
___	Pencils	___	___		___	___		___
___	Personal Papers	___	___		___	___		___
___	Photo Album	___	___		___	___		___
___	Photo	___	___		___	___		___
___	Plastic Bowl Plastic Spoon, cup	___	___		___	___		___

[illegible]

~~1~~ No individual item over \$100.00

9. Article(s) listed as "Mail" (M) Are to be forwarded to (Name and Address of Consignee):

10. Claim Release: a. The receiving officer, as soon after receipt of the property as possible, will review the inventory with the inmate to verify it's accuracy. Property that is stored, kept in possession of the inmate, mailed out of the institution, or donated is to be marked in the appropriate section of this inventory form. The receiving officer certifies receipt, review and disposition of the property by signing below. The inmate by signing below certifies the accuracy of the inventory, except as noted on the form, relinquishing of all claim to articles listed as donated, receipt of all allowable items, and receipt of a copy of the inventory. When the inmate claims a discrepancy in the inventory, the receiving officer shall attempt to resolve the discrepancy. If the inmate states that there is missing or damaged property, this information should be noted under COMMENTS.

COMMENTS:

Printed Name/Signature of Receiving Officer: [Signature] Date: 5/12/20 Time: 9:35A

I have today reviewed the property returned to me. 1 [Signature] 81530-004 5/12/20 9:30A

Signature of Inmate Register # Date Time

b. Upon release of the inmate from the unit, detention, etc., the releasing officer is to give the inmate that property stored as a result of the inmate's housing. The inmate certifies release of the property, except as noted on this form, and receipt of a copy of the inventory by signing below. When the inmate claims a discrepancy in the inventory, the releasing officer shall attempt to resolve the discrepancy. If the inmate states that there is missing or damaged property, this information should be noted under COMMENTS.

COMMENTS:

Printed Name/Signature of Receiving Officer: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

I have today reviewed the property returned to me.

Signature of Inmate	Register #	Date	Time
---------------------	------------	------	------



Anthony Johnson #81532-004  
Federal Correctional Institution  
PO Box 759  
Minersville, PA 17954



US MAIL

SDNY PRO SE OFFICE  
2022 MAY 18 PM 2:23

LEGAL MAIL



HARRISBURG PA 171  
MAY 15 2022 PM 1:11

ATTN: PRO-SE Intake Unit RM 200  
U.S. DISTRICT COURT  
500 Pearl St.  
New York, NY 10007